

**SUPREME COURT MINUTES
WEDNESDAY, MONDAY, MARCH 29, 2006
SAN FRANCISCO, CALIFORNIA**

S140413 C045348 Third Appellate District **PEOPLE v. MILES**
Petition for review granted.
Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S140547 A104828 First Appellate District, Div. 5 **ENVIRONMENTAL PROTECTION
INFORMATION CENTER v.
DEPARTMENT OF FORESTRY &
FIRE PROTECTION**
Petition for review granted.
Application to appear as counsel pro hac vice granted.
Votes: George, C.J., Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

S141282 B180315 Second Appellate District, Div. 5 **PEOPLE v. DELGADO**
Petition for review granted.
Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S135819 C050115 Third Appellate District **INDEPENDENT ENERGY PRODUCERS
ASSOCIATION v. MCPHERSON**
Supplemental briefing ordered. The parties are invited to file supplemental briefing addressing the question whether, and, if so, under what circumstances, the kind of initiative challenge that is at issue in this case should be resolved prior to, rather than after, an election. The parties may file simultaneous supplemental letter briefs on this issue on or before April 10, 2006, and may file simultaneous reply briefs on or before April 17, 2006.

S140565 A101086 First Appellate District, Div. 2 **PEOPLE v. ALLEN**
Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Johnson*, S127602 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.
Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S133438**COLEMAN (CALVIN) ON H.C.**

OSC issued, returnable in Superior Court (Atkins claim)

The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Sonoma County Superior Court, when the matter is placed on calendar, why petitioner's death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in the petition for writ of habeas corpus filed April 28, 2005. (See *In re Hawthorne* (2005) 35 Cal.4th 40.) The return is to be filed on or before April 28, 2006.

Petitioner's claim that he suffers from mental illnesses and impairments that have an equivalent impact to mental retardation is denied on the merits.

Respondent's "Motion for an Order Authorizing a State-designated Mental Health Expert to Have Access to Petitioner and to Have Access to Petitioner's Juvenile and Correctional Records, for the Purpose of Evaluating Whether Petitioner is Mentally Retarded," filed on September 13, 2005, is denied without prejudice to its renewal in the superior court.

(votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno and Corrigan, J.J.)

S140474

A097996 First Appellate District, Div. 4

PEOPLE v. RIDER

Petition for review granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its opinion and issue a decision that considers whether the opinion after remand was issued by a properly constituted panel (Cal. Const. art. VI, § 3).

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141484

D047857 Fourth Appellate District, Div. 1

**OAKS MANAGEMENT CORP. v. S.C.
(Ayyad)**

Petition for review granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its order denying mandate and to issue an order directing respondent Superior Court for the County of San Diego to show cause why the relief sought in the petition should not be granted.

Votes: George, C.J., Kennard, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S128826A098818/A098607 First Appellate District, Div. 5**GRAHN v. EXXON MOBIL
CORPORATION**

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and to reconsider the cause in light of *Kinsman v. Unocal Corp* (2005) 37 Cal.4th 659. (Cal. Rules of Court, rule 29.3(d).)

Chin, J., was recused and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S139896

C050862 Third Appellate District

GRISIO (JAMES) ON H.C.

Petition for review denied.

Kennard, Werdegarr, and Moreno, JJ., are of the opinion the petition should be granted.

S140411 B161305 Second Appellate District, Div. 1 **DISCOVER BANK v. S.C. (BOEHR)**
Petition for review & depublication request denied.

S140556 B181228 Second Appellate District, Div. 2 **PEOPLE v. NEWMAN**
Petition for review denied.

S140573 D046202 Fourth Appellate District, Div. 1 **PEOPLE v. KING**
Petition for review denied.

S140576 H026515 Sixth Appellate District **PEOPLE v. VIRAY**
Petitions for review & depublication request denied.

S140616 E039564 Fourth Appellate District, Div. 2 **OCAMPO v. S.C. (PEOPLE)**
Petition for review denied.

S140618 C051639 Third Appellate District **CHRISMAN (ROBERT) ON H.C.**
Petition for review denied.

S140619 A107676 First Appellate District, Div. 5 **PEOPLE v. HEATH**
Petition for review denied.

S140629 F045977 Fifth Appellate District **PEOPLE v. JACKSON**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140670 F047924 Fifth Appellate District **C. (MICHAEL), IN RE**
Petition for review denied.

S140674 A105680 First Appellate District, Div. 1 **PEOPLE v. TURNER**
Petition for review denied.

S140693 C047560 Third Appellate District **PEOPLE v. JOHNSON**
Petition for review denied.

S140696 G035456 Fourth Appellate District, Div. 3 **MOON v. S.C. (PEOPLE)**
Petition for review denied.

S140699 B182765 Second Appellate District, Div. 5 **PEOPLE v. BRYAN**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140727 E037226 Fourth Appellate District, Div. 2 **PEOPLE v. HODGE**
Petition for review denied.

S140754 A112526 First Appellate District, Div. 3 **JOHNSON (THOMAS) ON H.C.**
Petition for review denied.

S140796 B175004 Second Appellate District, Div. 2 **CHERNAVSKY v. MORRIS, ET AL.**
Petition for review denied.

S140801 B182438 Second Appellate District, Div. 5 **SCHULTZ v. FULTON ASSOCIATES**
Petition for review denied.

S140866 H027781 Sixth Appellate District **PEOPLE v. KENT**
Petition for review denied.

S140898 B183768 Second Appellate District, Div. 4 **NEW YORK TIMES CO. v. S.C. (WALL STREET NETWORK)**
Petition for review denied.

S140901 G034153 Fourth Appellate District, Div. 3 **PEOPLE v. ELTAWIL**
Petition for review denied.

S140908 C047704 Third Appellate District **PEOPLE v. PARMER**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141043 B180261 Second Appellate District, Div. 2 **PEOPLE v. DUNN**
Petition for review denied.

S141053 F049042 Fifth Appellate District **JHANJAR (RAJINDER) ON H.C.**
Petition for review denied.
Baxter, J., was recused and did not participate.

S141054 A108663 First Appellate District, Div. 2 **C. (MARCUS), IN RE**
Petition for review denied.

S141071 F047719 Fifth Appellate District
Petition for review denied.

PEOPLE v. ORTEGA

S141095 F049614 Fifth Appellate District
Petition for review denied.

**KITCHENS (WILLIAM JACKSON) ON
H.C.**

S141130 C047551 Third Appellate District
Petition for review denied.

PEOPLE v. LINCOLN

S141133 H029341 Sixth Appellate District
Petition for review denied.

DOLIVIERA (ROBERT) ON H.C.

S141135 A109209 First Appellate District, Div. 3
Petition for review denied.
Corrigan, J., was recused and did not participate.

**CALIFORNIA HIGHWAY PATROL v. S.C.
(ALLENDE)**

S141138 C049197 Third Appellate District
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. DOUGHTIE

S141139 B181662 Second Appellate District, Div. 7

PEOPLE v. AMAYA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141185 B176953 Second Appellate District, Div. 5

**COLGAN v. LEATHERMAN TOOL
GROUP**

Petition for review denied.

S141218 A109778 First Appellate District, Div. 2
Petition for review denied.

RALLHAUSEN v. MOUSTIRATS

S141219 F046921 Fifth Appellate District
Petition for review denied.

PEOPLE v. CARTWRIGHT

S141223 B179874 Second Appellate District, Div. 7
Petition for review denied.

PEOPLE v. LOPEZ

S141224 F046240 Fifth Appellate District
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. MORECRAFT

S141225 B176310 Second Appellate District, Div. 4
Petition for review denied.

PEOPLE v. HEARON

S141229
Petition for writ of mandate/prohibition & stay denied

GIVENS v. CA 1/2 (PEOPLE)

S141230 F048985 Fifth Appellate District
Petition for review and application for stay denied
Baxter, J., was recused and did not participate.

DELATORRE v. S.C. (PEOPLE)

S141233 A109854 First Appellate District, Div. 2
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. MAGANA

S141244 B176979 Second Appellate District, Div. 4
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. RAY

S141249 B181538 Second Appellate District, Div. 5
Petition for review denied.

PEOPLE v. POKRAS

- S141250** C048313 Third Appellate District **PEOPLE v. QUESADA**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
- S141253** F047618 Fifth Appellate District **PEOPLE v. LOGSDON**
Petition for review denied.
Baxter, J., was recused and did not participate.
- S141256** A110095 First Appellate District, Div. 4 **PEOPLE v. SCHWALBE**
Petition for review denied.
- S141258** F048423 Fifth Appellate District **M. (E.), IN RE**
Petition for review denied.
- S141260** B188744 Second Appellate District, Div. 5 **GADLIN v. S.C. (PEOPLE)**
Petition for review denied.
- S141273** C048487 Third Appellate District **PEOPLE v. PAYTON**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
- S141275** A107667 First Appellate District, Div. 2 **PEOPLE v. BULLOCK**
Petition for review denied.
- S141284** D045084 Fourth Appellate District, Div. 1 **LOWE v. LINCOLN**
Petition for review denied.
- S141291** A109666 First Appellate District, Div. 1 **PEOPLE v. STRONG**
Petition for review denied.
- S141294** F047226 Fifth Appellate District **PEOPLE v. GONZALEZ**
Petition for review denied.
- S141299** F049075 Fifth Appellate District **BERNARD v. S.C. (PEOPLE)**
Petition for review and application for stay denied.
Baxter, J., was recused and did not participate.
- S141304** B179897 Second Appellate District, Div. 7 **PEOPLE v. WILLIAMS**

Petition for review denied.

S141306 F046266 Fifth Appellate District
Petition for review denied.

PEOPLE v. WHITE

S141309 F046666 Fifth Appellate District
Petition for review denied.
Baxter, J., was recused and did not participate.

PEOPLE v. BROWN

S141310 B184116 Second Appellate District, Div. 7
Petition for review denied.

PEOPLE v. LACEY

S141314 B181045 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. BROOKS

S141316 C049842 Third Appellate District
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. BALLINGER

S141318 D046680 Fourth Appellate District, Div. 1
Petition for review denied.

R. (DUSTIN), IN RE

S141326 F049725 Fifth Appellate District
Petition for review denied.

REYNOLDS v. S.C. (PEOPLE)

S141327 F045974 Fifth Appellate District
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. BENITEZ

S141332 F048039 Fifth Appellate District
Petition for review denied.

PEOPLE v. NARBAIZ

S141339 B176158 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. TO

S141341 B181559 Second Appellate District, Div. 5 **PEOPLE v. WARMSLEY**
Petition for review denied.

S141344 H022141/H022935 Sixth Appellate District **MELCHER, MARRIAGE OF**
Petition for review denied.

S141365 G034099 Fourth Appellate District, Div. 3 **PEOPLE v. HERNANDEZ**
Petition for review denied.

S141373 E037474 Fourth Appellate District, Div. 2 **PEOPLE v. TRUJILLO**
Petition for review denied.

S141389 B178605 Second Appellate District, Div. 6 **SINGH v. BAINS**
Petition for review denied.

S141392 C048029 Third Appellate District **PEOPLE v. MCCANN**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141399 D045863 Fourth Appellate District, Div. 1 **PEOPLE v. WILSON**
Petition for review denied.

S141412 E036630 Fourth Appellate District, Div. 2 **PEOPLE v. ROBINSON**
Petition for review denied.

S141418 B178611 Second Appellate District, Div. 6 **VANDERVEEN v. ARROYO GRANDE,
CITY OF ARROYO GRANDE**
Petition for review denied.

S141432 B179507 Second Appellate District, Div. 6 **PEOPLE v. CORDOVA**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127344.

S141446 A101176/A107422 First Appellate District, Div. 2 **PEOPLE v. GIVENS**
Petitions for review denied.

S141448 F047010 First Appellate District, Div. 1 **PEOPLE v. BURTS**

Petition for review denied.

S141550 C051830 Third Appellate District
Petition for review denied.

PHILLIPS v. S.C. (PEOPLE)

S141909 C052054 Third Appellate District
Petition for review and application for stay denied.

PRESTON v. S.C. (KAUR)

S126130
Petition for writ of habeas corpus denied.

SCOTT (LARRY) ON H.C.

S132514
Petition for writ of habeas corpus denied.

KENNEDY (ROBERT S.) ON H.C.

S132700
Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

JOHNSON (DAVID) ON H.C.

S132886
Petition for writ of habeas corpus denied.
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

BRADFORD (RAYMOND A.) ON H.C.

S132930
Petition for writ of habeas corpus denied.

JUAREZ (RENE FRANCISCO) ON H.C.

S133001
Petition for writ of habeas corpus denied.

RIVERA (WILFREDO H.) ON H.C.

S133060
Petition for writ of habeas corpus denied.

LEE (WILLIAM) ON H.C.

S133062
Petition for writ of habeas corpus denied.

CARO (JOSE GUADALUPE) ON H.C.

S133063

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

BOLDEN (CHARLES E.) ON H.C.**S133073**

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

ALKEBU-LAN (SHAI) ON H.C.**S133085**

Petition for writ of habeas corpus denied.

HUBBARD (THOMAS) ON H.C.**S133093**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709; *In re Seaton* (2004) 34 Cal.4th 193; *In re Dixon* (1953) 41 Cal.2d 756.)

GOMAR (JOSE G.) ON H.C.**S133158**

Petition for writ of habeas corpus denied.

GADLIN (GREGORY) ON H.C.**S133201**

Petition for writ of habeas corpus denied.

MONGER (STEVEN) ON H.C.**S133221**

Petition for writ of habeas corpus denied.

MENDEZ (ARTHUR ERICK) ON H.C.**S133226**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

GRAVES (PETER) ON H.C.**S133262**

Petition for writ of habeas corpus denied

BROWN (RICHARD N.) ON H.C.**S133280**

Petition for writ of habeas corpus denied.

WARREN (CLARENCE) ON H.C.

S133299

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)**CARROL (CURTIS) ON H.C.****S133304**

Petition for writ of habeas corpus denied.

BONILLA (ISAIAH T.) ON H.C.**S133329**

Petition for writ of habeas corpus denied.

ANDERSON (KELVIN) ON H.C.**S133346**

Petition for writ of habeas corpus denied.

CLOUD (JERRY) ON H.C.**S133348**

Petition for writ of habeas corpus denied.

EZELL (LEE) ON H.C.**S133379**

Petition for writ of habeas corpus denied.

COX (LUTHER) ON H.C.**S133394**

Petition for writ of habeas corpus denied.

COLEMAN (JEREMY) ON H.C.**S133403**

Petition for writ of habeas corpus denied.

ROSS (DERRY) ON H.C.**S133433**

Petition for writ of habeas corpus denied.

PENA (ARACELI) ON H.C.**S133441**

Petition for writ of habeas corpus denied.

AUBERT (ESSNN) ON H.C.**S133447**

Petition for writ of habeas corpus denied.

RUIZ (ROBERTO CARLOS) ON H.C.**S133450**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)**GUMS (MARVIN T.) ON H.C.**

S133452

Petition for writ of habeas corpus denied.

FIELD (MICHAEL) ON H.C.**S133457**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

SANCHEZ (GABRIEL F.) ON H.C.**S133484**

Petition for writ of habeas corpus denied.

MATTHEWS (JAMES W.) ON H.C.**S133501**

Petition for writ of habeas corpus denied.

BARRERA (MARIO) ON H.C.**S133504**

Petition for writ of habeas corpus denied.
Corrigan, J., was recused and did not participate.

JONES (MARK ANTHONY) ON H.C.**S133505**

Petition for writ of habeas corpus denied.

SMITH (JOHN LEE) ON H.C.**S133507**

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734.)

WILLIAMS (HENRY) ON H.C.**S133545**

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

HIGHTOWER (TERRELL) ON H.C.**S133576**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

PAZ (GRICEL) ON H.C.**S133615**

Petition for writ of habeas corpus denied.
(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th.464, 474.)

RICHARDSON (RUMAN A.) ON H.C.

S133623

Petition for writ of habeas corpus denied.

CURRY (GERALD J.) ON H.C.

S133625

Petition for writ of habeas corpus denied.
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

WILSON (LAMAR) ON H.C.

S133630

Petition for writ of habeas corpus denied.

DELGADO (DAVID) ON H.C.

S133653

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

PAYNE (DARVON) ON H.C.

S133654

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

GEORGE (FRANK) ON H.C.

S133718

Petition for writ of habeas corpus denied.

GEORGIADES (KYRIACOS) ON H.C.

S133724

Petition for writ of habeas corpus denied.

RIVERA (DAVID) ON H.C.

S133734

Petition for writ of habeas corpus denied.
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

CASTRO (DAVID J.) ON H.C.

S134154

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

GEORGIADES (KYRIACOS) ON H.C.

S134442

Petition for writ of habeas corpus denied.

SOLOMON (SHA SHONEE) ON H.C.

S134461

Petition for writ of habeas corpus denied.
(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

HILT (MICHAEL) ON H.C.

S135408**GEZZI (RONALD) ON H.C.**

Petition for writ of habeas corpus denied.
as successive under *In re Clark* (1993) 5 Cal.4th 750, and on the merits.

S135454**BACA (LOUIS) ON H.C.**

Petition for writ of habeas corpus denied.
(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750, 768; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dannenberg* (2005) 34 Cal.1th 1061, 1084.)
Corrigan, J., was recused and did not participate.

S135464**PAZ (GRICEL) ON H.C.**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S135487**TIMMONS (RODERICK O.) ON H.C.**

Petition for writ of habeas corpus denied.
(See *People v. Bradley* (1969) 1 Cal.3d 80, 86; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

S135491**WEAVER (AARON J.) ON H.C.**

Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S135492**PATTON (LONNIE) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1091, 1094; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 638, 685, 686; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)

S135495**RAMOS (AVELINO M.) ON H.C.**

Petition for writ of habeas corpus denied.
(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1091; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 685; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)

S135516**BONTILAO (ARPRUBERTITO B.) ON H.C.**

Petition for writ of habeas corpus denied.
(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1071, 1084, 1091; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 685; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)

S135523**FELDER (SAMUEL LEE) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1071, 1084, 1091; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 685; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120,**S135525****ESPINOZA (MICHAEL LEE) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1071, 1084, 1091; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 685; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1983) 140 Cal.App.3d 29; *In re Duarte* (1983) 143 Cal.App.3d 943; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)**S135558****BATTS (DANNY) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1091, 1094; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 638, 685, 686; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)**S135566****MITCHELL (DEMETRIUS) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1071, 1084, 1091; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 685; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)**S135570****VELASQUEZ (DAVID) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750, 768; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1091, 1094; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 638, 685, 686; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)**S135577****JOHNSON (CHARLES K.) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1091, 1094; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 638, 685, 686; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Crittenden* (1994) 9 Cal.4th 83, 120, fn.3.)**S135625****ESCARCEGA (RAUL) ON H.C.**

Petition for writ of habeas corpus denied.

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682-686; *People v. Bradley* (1969) 1 Cal.3d 80, 86.)**S135897****WOODS (CORY) ON H.C.**

Petition for writ of habeas corpus denied.

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682-686; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1097.)

S136038

Petition for writ of habeas corpus denied.

HUNTER (WESLEY W.) ON H.C.**S136262**

Petition for writ of habeas corpus denied.

DORROUGH (MICHAEL R.) ON H.C.**S136755**

Petition for writ of habeas corpus denied.

WALLACE (TYRONE) ON H.C.**S138114**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HIGHTOWER (TERRELL G.) ON H.C.****S139275**

Petition for writ of habeas corpus denied.

TOWNSEND (KENNETH A.) ON H.C.**S140952**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**WALLACE (TYRONE) ON H.C.****S141041**

Petition for writ of habeas corpus denied.

ENGLAND (RONALD JAMES) ON H.C.**S141083**

Petition for writ of habeas corpus denied.

THOMPSON (IVAN) ON H.C.**S141085**

Petition for writ of habeas corpus denied.

JONES (GREGORY A.) ON H.C.**S141166**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re In re Dixon* (1953) 41 Cal.2d 756.)**YANKA (RONALD) ON H.C.****S141420**

Petition for writ of habeas corpus denied.

DORROUGH (MICHAEL R.) ON H.C.**S141443**

Petition for writ of habeas corpus denied.

HUNTER (JOHN D.) ON H.C.

S141472

Petition for writ of habeas corpus denied.

ALLEN (DAVID) ON H.C.**S141526**Petition for writ of habeas corpus denied.
(See *In re Wesley W.* (1981) 125 Cal.App.3d 240, 246.)**WOSLUM (FRANK) ON H.C.****S141537**

Petition for writ of habeas corpus denied.

MOLINA (ISMAEL) ON H.C.**S141543**

Petition for writ of habeas corpus denied.

RUDAN (KIRK E.) ON H.C.**S141552**

Petition for writ of habeas corpus denied.

DIXON (DEMONTE M.) ON H.C.**S141558**

Petition for writ of habeas corpus denied.

GUTIERREZ (RAYMOND) ON H.C.**S141609**

Petition for writ of habeas corpus denied.

FOWLER (LEWIS) ON H.C.**S141701**Petition for writ of habeas corpus denied.
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**CASILLAS (ERNESTO) ON H.C.****S141758**Petition for writ of habeas corpus denied.
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**BRAXTON (PRESTON W.) ON H.C.****S141761**Petition for writ of habeas corpus denied.
(See *In re Wesley W.* (1981) 125 Cal.App.3d 240, 246; *In re Azurin* (2001) 87 Cal.App.4th 20.)**SANTILLAN (MARIO V.) ON H.C.****S141770**

Petition for writ of habeas corpus denied.

LOPEZ (JOSE CARLOS) ON H.C.

S115824**MILLER (DONALD) ON H.C.**

The above-entitled case having become moot by the filing of a certified copy of the certificate evidencing the death of Donald Miller, respondent's motion to abate is granted, and the petition for writ of habeas corpus is dismissed as moot. (*People v. Dail* (1943) 22 Cal.2d 642.)

S140165

A106851 First Appellate District, Div. 1

ST.JOHN v. CHANNEL LUMBER

Publication request denied

S140836

D045794 Fourth Appellate District, Div. 1

BRAVO v. NEIMAN MARCUS GROUP

Publication request denied.

S140837

F044529 Fifth Appellate District

BROWN v. STATE OF CALIFORNIA

Publication request denied.

Baxter, J., was recused and did not participate.

S140838

D046620 Fourth Appellate District, Div. 1

A. (T.), IN RE

Publication request denied.

S141111

D044916 Fourth Appellate District, Div. 1

PEOPLE v. GONZALEZ

Publication request denied.

S141189 A107763/A107769 First Appellate District, Div. 2**GREYSTONE HOMES, INC. v. CAKE
(PLEASANT HILL REDEVELOPMENT
AGENCY)**

Depublication request denied.

S141525

G034068 Fourth Appellate District, Div. 3

PEOPLE v. JONELIS

Publication request denied.

S140755

A111092 First Appellate District, Div. 3

BENSON (FRANK KENNETH) ON H.C.

Time extended to grant or deny review to April 28, 2006

S140868

B181836 Second Appellate District, Div. 4

LOPEZ v. U.C. REGENTS

Time extended to grant or deny review to May 2, 2006.

S140911 H027693 Sixth Appellate District
Time extended to grant or deny review to May 5, 2006.

VARGAS v. CITY OF SALINAS

S082828
Extension of time granted to May 19, 2006 to file appellant's opening brief.

PEOPLE v. THOMAS (CORRELL)

S129852 B166937 Fifth Appellate District
Extension of time granted. On application of appellant and good cause appearing, it is ordered that the time to serve and file the appellant's reply brief on the merits simultaneously with the appellant's response to amicus curiae brief of the California Partnership to End Domestic Violence is hereby extended to April 12, 2006.

PEOPLE v. GILES

S133805 A104689 First Appellate District, Div. 2
Extension of time granted to April 20, 2006 for resp to file a consolidated answer to the amicus briefs previously filed.

TAUS v. LOFTUS

S134920 B173649 Second Appellate District, Div. 1
Extension of time granted. Appellant's time to serve and file the response to amicus curiae brief of California State Board of Equalization is extended to April 26, 2006.

AUERBACH v. ASSESSMENT APPEALS BOARD

S122953 A096451 First Appellate District, Div. 2
Petitioner's Motion to Strike Answering Brief in Part, filed October 25, 2004, is denied.

BARRETT v. ROSENTHAL

S140451 C047025 Third Appellate District
The order filed on March 1, 2006, denying the petitions for review is amended to read in its entirety; "Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law".

PEOPLE v. DYER

S038073
150th day statement.

PEOPLE v. MANRIQUEZ

S041630
150th day statement.

PEOPLE v. JABONSKI

